



Rep. André M. Thapedi

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LRB096 16710 AMC 38927 a

1 AMENDMENT TO HOUSE BILL 6215

2 AMENDMENT NO. _____. Amend House Bill 6215, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Code of Civil Procedure is amended by
6 adding Section 15-1515 as follows:

7 (735 ILCS 5/15-1515 new)

8 Sec. 15-1515. Health and safety assistance.

9 (a) With respect to residential real estate, at the time of
10 filing a foreclosure complaint, the plaintiff must pay the
11 clerk of the court of the county that the mortgaged real estate
12 is located, a fee for deposit into the Foreclosure Relief Fund.
13 The fee that the plaintiff must pay is calculated at the rate
14 of \$1.25 for each \$500 of value or fraction of \$500 stated and
15 sought by the plaintiff in the foreclosure complaint.

16 (b) A special income-earning fund is hereby created in the

1 State treasury, known as the Foreclosure Relief Fund.

2 (c) All moneys deposited into the fund together with all
3 accumulated undistributed income thereon shall be held as a
4 special fund in the State treasury. The fund shall be used
5 solely for the purpose of providing grants to units of local
6 government and not-for-profit organizations, including, but
7 not limited to, not-for-profit housing authorities and
8 community organizations to clean up, acquire, or demolish
9 residential real estate that has been abandoned, neglected, or
10 otherwise in need of additional care following foreclosure.

11 (d) The grant program shall be administered by the
12 Department of Commerce and Economic Opportunity, which shall
13 promulgate and adopt rules for the administration, operation,
14 and maintenance of the grant program.

15 (e) All fees paid by the plaintiff to the clerk of the
16 court as provided in this Section, shall be disbursed within 60
17 days after receipt by the clerk of the court as follows: (i)
18 90% to the State Treasurer for deposit into the Foreclosure
19 Relief Fund; (ii) 4% to the county that the mortgaged real
20 estate is located, for deposit into the General Corporate Fund;
21 (iii) 4% to the clerk of the court; and (iv) 2% to the
22 administrator of the grant program as defined in this Section.

23 (f) Not later than March 1 of each year, the clerk of the
24 court shall submit a report of funds remitted under this
25 Section during the preceding year based upon independent
26 verification of fees collected to the administrator of the

1 grant program as defined in this Section.

2 (g) The Foreclosure Relief Fund shall not be subject to
3 sweeps, administrative changes, chargebacks, or any other
4 fiscal or budgetary maneuver that would in any way result in
5 the transfer of any funds from the Foreclosure Relief Fund to
6 any other Fund of this State, or having any such funds utilized
7 for any purpose other than to pay for the costs of the grant
8 program.

9 Section 10. The State Finance Act is amended by adding
10 Section 5.756 as follows:

11 (30 ILCS 105/5.756 new)

12 Sec. 5.756. The Foreclosure Relief Fund.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."